

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

IN RE: T-MOBILE CUSTOMER DATA)
SECURITY BREACH LITIGATION,) MDL No. 3019
)
) Master Case No. 4:21-MD-03019-BCW
ALL ACTIONS)

ORDER

The Court held an initial pretrial conference in this matter on January 25, 2022. The Court, being duly advised of the premises, in consideration of the parties' Joint Proposed Agenda (Doc. #25) and consistent with the rulings on the record, rules as follows.

On December 22, 2021, the Court issued an Order Setting Initial Pretrial Conference and General Order on Practice and Procedure. (Doc. #4). The Order directed the parties to meet and confer in an effort to submit to the Court a joint proposed agenda to assist the Court's preparation for the initial pretrial conference.

On January 25, 2022, counsel appeared remotely for an initial pretrial conference. For purposes of the initial pretrial conference, Norm Siegel addressed the Court on behalf of plaintiffs and plaintiffs' counsel.¹ Kristy Brown addressed the Court on behalf of defendants and defendants' counsel.

Consistent with the Court's Order and the parties' proposed agenda, the Court discussed the following topics, summarized here: (a) a proposed discovery plan, including a timeline; (b) a proposed timetable for the filing of anticipated motions; (c) a recommendation for counsels' leadership structure; (d) a recommended deadline for counsel to file motions for appointment to a leadership position; and (e) any other issues germane to efficient pretrial procedures.

¹ Other plaintiffs' counsel who appeared remotely either by videoconference or phone are eligible for consideration for appointment as leadership counsel.

The Court, having considered the parties' arguments as to each of these topics, and consistent with the rulings on the record during the initial pretrial conference, orders as follows.

(a) Discovery Plan. Discovery is stayed in this matter until the date on which plaintiffs' master consolidated complaint is filed. The master complaint shall be filed no later than 45 days from the Court's order appointing leadership counsel. The Court reserves ruling on other disputes among the parties related to the scope and timing of discovery until after the meet and confer process after leadership counsel is appointed.

(b) Timing of Motions. Motions to dismiss and motions to compel arbitration shall be filed no later than 45 days after the date on which the master consolidated complaint is filed.

(c) Leadership Structure. Plaintiffs propose appointment of 3 lawyers as lead counsel, an executive committee of 5 to 7 lawyers, and if necessary, separate liaison counsel. The Court will reserve appointing any liaison or coordinating counsel at this time, for consideration and discussion after leadership counsel is appointed. The Court will take Plaintiffs' proposal for leadership structure under advisement, including the cases Plaintiffs emailed to the Court for reference, as it considers any motions for appointment of leadership counsel. The Court has no specific preference for individual applications for leadership versus pre-arranged slates and will consider counsel's motions in the form counsel deems appropriate.

(d) Timing of Motions for Appointment to a Leadership Position. Any motions for appointment to a leadership position shall be filed on or before **February 1, 2022 at 5:00 p.m. CST.** Motions shall be limited to 7 double-spaced pages, 12-point font, and may be filed with firm resumes or other supporting materials not exceeding 10 additional pages. No responses or replies are permitted.

(e) Periodic Status Conferences. It is the Court's intent to hold periodic status conferences with counsel throughout the course of this case. The status conferences will be scheduled roughly every 30 days, with the parties to submit a joint proposed agenda for the conference one week in advance of the scheduled conference.

IT IS SO ORDERED.

DATE: January 26, 2022

/s/ Brian C. Wimes

JUDGE BRIAN C. WIMES
UNITED STATES DISTRICT COURT